

# House Study Bill 528

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED DEPARTMENT OF  
EDUCATION/BOARD OF  
EDUCATIONAL EXAMINERS  
BILL)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to the membership requirements and oversight  
2 responsibilities of the board of educational examiners.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 5321DP 82  
5 kh/rj/8

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1 1 Section 1. Section 272.1, subsection 7, Code 2007, is  
1 2 amended to read as follows:

1 3 7. "Practitioner" means an administrator, teacher, or  
1 4 other licensed professional ~~who does not hold or receive a~~  
~~1 5 license from a professional licensing board other than the~~  
~~1 6 board of educational examiners and, including an individual~~  
~~1 7 who holds a statement of professional recognition, who~~  
1 8 provides educational assistance to students.

1 9 Sec. 2. Section 272.2, subsection 1, paragraph a, Code  
1 10 Supplement 2007, is amended to read as follows:

1 11 a. License practitioners ~~who do not hold or receive a~~  
~~1 12 license from another professional licensing board. Licensing~~  
~~1 13 authority, which~~ includes the authority to establish criteria  
1 14 for the licenses; establish issuance and renewal requirements;  
1 15 create application and renewal forms; create licenses that  
1 16 authorize different instructional functions or specialties;  
1 17 develop a code of professional rights and responsibilities,  
1 18 practices, and ethics, which shall, among other things,  
1 19 address the failure of a practitioner to fulfill contractual  
1 20 obligations under section 279.13; and develop any other  
1 21 classifications, distinctions, and procedures which may be  
1 22 necessary to exercise licensing duties. In addressing the  
1 23 failure of a practitioner to fulfill contractual obligations,  
1 24 the board shall consider factors beyond the practitioner's  
1 25 control.

1 26 Sec. 3. Section 272.3, subsection 2, Code Supplement 2007,  
1 27 is amended to read as follows:

1 28 2. A majority of the licensed practitioner members shall  
1 29 be nonadministrative practitioners. Four of the members shall  
1 30 be administrators. Membership of the board shall comply with  
1 31 the requirements of sections 69.16 and 69.16A. A quorum of  
1 32 the board shall consist of six members. Members shall elect a  
1 33 chairperson of the board. Members, except for the director of  
1 34 the department of education or the director's designee, shall  
1 35 be appointed by the governor subject to confirmation by the

2 1 senate.  
2 2 Sec. 4. Section 272.4, subsection 1, unnumbered paragraph  
2 3 1, Code Supplement 2007, is amended to read as follows:  
2 4 Members, except for the director of the department of  
2 5 education or the director's designee, shall be appointed to  
2 6 serve staggered terms of four years. A member shall not serve  
2 7 more than two consecutive terms, except for the director of  
2 8 the department of education or the director's designee, who  
2 9 shall serve until the director's term of office expires. A  
2 10 member of the board, except for the two public members and the  
~~2 11 director of the department of education or the director's~~  
~~2 12 designee~~, shall hold a valid practitioner's license during the  
2 13 member's term of office. A vacancy exists when any of the  
2 14 following occur:

2 15 Sec. 5. Section 272.9, unnumbered paragraph 3, Code 2007,  
2 16 is amended by striking the unnumbered paragraph.

2 17 EXPLANATION

2 18 This bill makes changes to the Code chapter administered by  
2 19 the board of educational examiners.

2 20 The bill removes a restriction in the definition of  
2 21 practitioner which excludes an individual from holding or  
2 22 receiving a license from a professional licensing board other  
2 23 than the board of educational examiners, and adds that the  
2 24 term "practitioner" may include a licensed individual who  
2 25 holds a statement of professional recognition.

2 26 The bill establishes that the director of the department of  
2 27 education or the director's designee, as a member of the  
2 28 board, like the public members, is exempt from the requirement  
2 29 that members hold a valid practitioner's license during the  
2 30 member's term of office.

2 31 Finally, the bill eliminates language which permitted a  
2 32 professional development program provided by a school district  
2 33 and approved by the state board of education before July 1,  
2 34 1989, to continue until the term, for which the program was  
2 35 approved, expires.

3 1 LSB 5321DP 82

3 2 kh/rj/8.1